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Terminal
Disclaimer

PATENT
Attorney Docket No.: JHU1160-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David Sidransky
Application No.: 09/863,806
Filed: May 22, 2001
Title: DETECTION OF NEOPLASIA BY ANALYSIS OF SALIVA

Art Unit: 1655
Examiner: S.W. Zitomer

Commissioner for Patents
Washington, D.C. 20231

TERMINAL DISCLAIMER

Sir:

The undersigned, attorney of record for Petitioner, THE JOHNS HOPKINS UNIVERSITY SCHOOL OF MEDICINE ("Assignee"), with its place of business at 111 Market Street, Suite 906, Baltimore, MD 21202, represents that Petitioner is the Assignee of 100 percent interest in Application No. 09/863,806, filed May 22, 2001, entitled DETECTION OF NEOPLASIA BY ANALYSIS OF SALIVA, as evidenced by the Assignment recorded in the United States Patent and Trademark Office on June 11, 1998, at Reel 9252, Frame 0384.

The evidentiary documents referred to herein have been reviewed by the undersigned and it is certified that to the best of the undersigned's knowledge and belief, title is in the Assignee.

Pursuant to 37 C.F.R. § 1.321(c), the undersigned, on behalf of Petitioner, THE JOHNS HOPKINS UNIVERSITY SCHOOL OF MEDICINE, disclaims the terminal part of any patent

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CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on June 27, 2002, in an envelope addressed to:
Commissioner for Patents, Washington, D.C. 20231

Karen LePari

Karen LePari

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expiration date of U.S. Patent No. 5,725,019, U.S. Patent No. 5,561,041 or U.S. Patent No. 6,235,470. Petitioner hereby agrees that any patent so granted on the above-identified application No. 09/863,806 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,725,019, U.S. Patent No. 5,561,041 or U.S. Patent No. 6,235,470, this Agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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Enclosed is Check No. 512491 in the total amount of \$55.00; consisting of the fee for the Terminal Disclaimer. The Commissioner is hereby authorized to charge any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A copy of the Transmittal Sheet is enclosed.

Respectfully submitted,

Date: June 27, 2002



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